



DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2023-0687; Airspace Docket No. 22-AEA-16]

RIN 2120-AA66

Establishment of Area Navigation (RNAV) Routes, Eastern United States

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to establish 4 low altitude Area Navigation (RNAV) routes (T-routes) in support of the Very High Frequency (VHF) Omnidirectional Range (VOR) Minimum Operational Network (MON) Program. The purpose is to enhance the efficiency of the National Airspace System (NAS) by transitioning from ground-based navigation aids to a satellite-based navigation system.

DATES: Comments must be received on or before [INSERT DATE 45 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER.]

ADDRESSES: Send comments identified by FAA Docket No. FAA-2023-0687 and Airspace Docket No. 22-AEA-16 using any of the following methods:

* Federal eRulemaking Portal: Go to www.regulations.gov and follow the online instructions for sending your comments electronically.

* Mail: Send comments to Docket Operations, M-30; U.S. Department of Transportation, 1200 New Jersey Avenue SE, Room W12-140, West Building Ground Floor, Washington, DC 20590-0001.

* Hand Delivery or Courier: Take comments to Docket Operations in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

* Fax: Fax comments to Docket Operations at (202) 493-2251.

Docket: Background documents or comments received may be read at www.regulations.gov at any time. Follow the online instructions for accessing the docket or go to the Docket Operations in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FAA Order JO 7400.11G, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at www.faa.gov/air_traffic/publications/. You may also contact the Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 800 Independence Avenue SW, Washington DC 20591; telephone: (202) 267-8783.

FOR FURTHER INFORMATION CONTACT: Brian Vidis, Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267-8783.

SUPPLEMENTARY INFORMATION:

Authority for this Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would expand the availability of RNAV in the eastern United States and improve the efficient flow of air traffic within the NAS by lessening the dependency on ground-based navigation.

Comments Invited

The FAA invites interested persons to participate in this rulemaking by submitting written comments, data, or views. Comments are specifically invited on the overall regulatory,

aeronautical, economic, environmental, and energy-related aspects of the proposal. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. To ensure the docket does not contain duplicate comments, commenters should submit only one time if comments are filed electronically, or commenters should send only one copy of written comments if comments are filed in writing.

The FAA will file in the docket all comments it receives, as well as a report summarizing each substantive public contact with FAA personnel concerning this proposed rulemaking. Before acting on this proposal, the FAA will consider all comments it receives on or before the closing date for comments. The FAA will consider comments filed after the comment period has closed if it is possible to do so without incurring expense or delay. The FAA may change this proposal in light of the comments it receives.

Privacy: In accordance with 5 USC 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, including any personal information the commenter provides, to www.regulations.gov, as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at www.dot.gov/privacy.

Availability of Rulemaking Documents

An electronic copy of this document may be downloaded through the Internet at www.regulations.gov. Recently published rulemaking documents can also be accessed through the FAA's web page at www.faa.gov/air_traffic/publications/airspace_amendments/.

You may review the public docket containing the proposal, any comments received and any final disposition in person in the Dockets Operations office (see **ADDRESSES** section for address, phone number, and hours of operations). An informal docket may also be examined during normal business hours at the office of the Eastern Service Center, Federal Aviation Administration, Room 210, 1701 Columbia Avenue, College Park, GA, 30337.

Incorporation by Reference

United States Area Navigation Routes are published in paragraph 6011 of FAA Order JO 7400.11, Airspace Designations and Reporting Points, which is incorporated by reference in 14 CFR 71.1 on an annual basis. This document proposes to amend the current version of that order, FAA Order JO 7400.11G, dated August 19, 2022 and effective September 15, 2022. These updates would be published in the next update to FAA Order JO 7400.11. That order is publicly available as listed in the **ADDRESSES** section of this document.

FAA Order JO 7400.11G lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Proposal

The FAA is proposing an amendment to 14 CFR part 71 to establish 4 low altitude RNAV T-routes in the northeast United States to support the VOR MON Program, and the transition of the NAS from ground-based navigation aids to satellite-based navigation. The proposed route changes are described below.

T-447: T-447 is a proposed new route that would extend from the Smyrna, DE (ENO), VOR/Tactical Air Navigational System (VORTAC) to the DLMAR, PA, waypoint (WP). The route would overlay T-356 from the APEER, MD, WP to the FOLEZ, PA, WP; VOR Federal airway V-408 from the Pottstown, PA (PTW), VORTAC to the East Texas, PA (ETX), VOR/Distance Measuring Equipment (VOR/DME); and VOR Federal airway V-164 from the East Texas, PA (ETX), VOR/DME to the Stonyfork, PA (SFK), VOR/DME.

T-449: T-449 is a proposed new route that would extend from the KITHE, PA, Fix to the Binghamton, NY (CFB), VOR/DME. The route would overlay VOR Federal airway V-499 from the KITHE, PA, Fix to the Binghamton, NY (CFV), VOR/DME.

T-460: T-460 is a proposed new route that would extend from the Philipsburg, PA (PSB), VORTAC to the GLYDE, MA, Fix. The route would overlay VOR Federal Airway V-576 from

the Philipsburg, PA (PSB), VORTAC to the Hancock, NY (HNK), VOR/DME, and VOR Federal Airway V-292 from the Hancock, NY (HNK), VOR/DME, to the GLYDE, MA, Fix.

T-479: T-479 is a proposed new route that would extend from the DNVIL, VA, WP to the Elkins, WV (EKN), VORTAC. The route would overlay VOR Federal airway V-258 from the Danville, VA (DAN), VOR to the Roanoke, VA (ROA), VOR/DME; and VOR Federal airway V-103 from the Roanoke, VA (ROA), VOR/DME to the Elkins, WV (EKN), VORTAC. In the route description, the Danville, VA (DAN), VOR would be replaced by the DNVIL, VA, WP.

Regulatory Notices and Analyses

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) is not a “significant regulatory action” under Executive Order 12866; (2) is not a “significant rule” under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this proposed rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1F, :“Environmental Impacts: Policies and Procedures” prior to any FAA final regulatory action.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

PART 71--DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11G, Airspace Designations and Reporting Points, dated August 19, 2022, and effective September 15, 2022, is amended as follows:

Paragraph 6011, United States Area Navigation Routes.

* * * * *

T-447 Smyrna, DE (ENO) to DLMAR, PA [New]		
Smyrna, DE (ENO)	VORTAC	(lat. 39°13'53.93"N., long. 075°30'57.49"W.)
CHAZR, DE	WP	(lat. 39°29'28.14"N., long. 075°44'28.13"W.)
APEER, MD	WP	(lat. 39°37'32.94"N., long. 075°50'25.39"W.)
REESY, PA	WP	(lat. 39°45'27.94"N., long. 075°52'07.09"W.)
FOLEZ, PA	WP	(lat. 39°55'32.76"N., long. 075°49'16.49"W.)
HOSKR, PA	WP	(lat. 40°05'03.94"N., long. 075°32'56.13"W.)
Pottstown, PA (PTW)	VORTAC	(lat. 40°13'20.04"N., long. 075°33'36.90"W.)
East Texas, PA (ETX)	VOR/DME	(lat. 40°34'51.74"N., long. 075°41'02.51"W.)
DIANO, PA	FIX	(lat. 41°00'01.99"N., long. 076°13'33.78"W.)
Williamsport, PA (FQM)	VOR/DME	(lat. 41°20'18.81"N., long. 076°46'29.52"W.)
DLMAR, PA	WP	(lat. 41°41'42.56"N., long. 077°25'11.02"W.)

* * * * *

T-449 KITHE, PA to Binghamton, NY (CFB) [New]
--

KITHE, PA	FIX	(lat. 39°48'35.53"N., long. 076°17'48.12"W.)
Lancaster, PA (LRP)	VOR/DME	(lat. 40°07'11.91"N., long. 076°17'28.66"W.)
Binghamton, NY (CFB)	VOR/DME	(lat. 42°09'26.97"N., long. 076°08'11.30"W.)

* * * * *

T-460 Philipsburg, PA (PSB) to GLYDE, MA [New]		
Philipsburg, PA (PSB)	VORTAC	(lat. 40°54'58.53"N., long. 077°59'33.78"W.)
Williamsport, PA (FQM)	VOR/DME	(lat. 41°20'18.81"N., long. 076°46'29.52"W.)
Hancock, NY (HNK)	VOR/DME	(lat. 42°03'47.01"N., long. 075°18'58.62"W.)
SAGES, NY	FIX	(lat. 42°02'46.33"N., long. 074°19'10.33"W.)
Barnes, MA (BAF)	VORTAC	(lat. 42°09'43.05"N., long. 072°42'58.32"W.)
GLYDE, MA	FIX	(lat. 42°16'03.84"N., long. 071°48'42.76"W.)

* * * * *

T-479 DNVIL, VA to Elkins, WV (EKN) [New]		
DNVIL, VA	WP	(lat. 36°33'49.53"N., long. 079°19'53.54"W.)
PIGGS, VA	FIX	(lat. 36°56'01.81"N., long. 079°42'40.61"W.)
Roanoke, VA (ROA)	VOR/DME	(lat. 37°20'36.47"N., long. 080°04'13.43"W.)
Elkins, WV (EKN)	VORTAC	(lat. 38°54'51.97"N., long. 080°05'57.38"W.)

* * * * *

Issued in Washington, DC, on April 3, 2023.

Brian Konie,
Acting Manager, Airspace Rules and Regulations.
[FR Doc. 2023-07296 Filed: 4/7/2023 8:45 am; Publication Date: 4/10/2023]